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11 Reply
Brief

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jones, J. et al.
Appl. No. : 09/471,153

Filed : December 23, 1999
Title : VEHICLE AXLE BEAM AND BRAKE ASSEMBLY

Group Art Unit : 3613
Examiner : NGUYEN, X.

Docket No. : 08200.163

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GROUP 3613

REPLY BRIEF UNDER 37 C.F.R. § 1.193

February 27, 2002

Commissioner of Patents &
Trademarks
Washington, D.C. 20231

Dear Sir:

In response to the Examiner's Answer dated January 10, 2002, Appellant respectfully requests the Board of Patent Appeals and Interferences to consider the following additional arguments and reverse the decision of the Examiner in whole.

REMARKS

The Examiner notes that Dozier lacks a pneumatic actuator; and Williams is relied upon for a teaching of the use of the pneumatic actuator to actuate brake assembly.

Dozier's statement that "the cam can be rotated by means (not shown) which are well known in the brake art to cause the cam 32 to rotate outwardly displacing the brake shoes 22 for braking engagement with the interior of the drum 20" (column 3, lines 13-17) clearly refers to the means to rotate the cam member, i.e. the brake actuator motor, which well may be the pneumatic actuator of Williams. Obviously, the above-mentioned means to rotate the cam member of Dozier does not refer to the whole brake actuator assembly, but only to the brake actuator motor.

Dozier shows part of the brake actuator assembly (namely the cam 32 and a portion of the camshaft 34 adjacent to the cam 32). The only substantial element of the brake actuator assembly Dozier does not show is the brake actuator motor. Thus, if the brake spider of Dozier is combined with the pneumatic actuator motor of Williams suggested by the Examiner, the resulting device still would lack the mounting sleeve, as set forth in claims 1 and 8, that provides support for securing the pneumatic actuator motor directly to the brake spider.

On the other hand, the brake actuator assembly of Williams includes the guide sleeve 32 rotatably supporting the brake cylinder 36 and receiving the camshaft 30 and secured to the back plate 12 through the mounting bracket 26. As Dozier shows in Fig. 1, the camshaft 34 of Dozier is directly supported by the spider, not through the stationary guide sleeve, as taught by Williams.

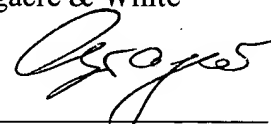
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In re Jones, J. et al.

Clearly, the guide sleeve 32 of the pneumatic actuator of Williams cannot be mounted to the spider of Dozier without substantial modification of the brake spider that is not permitted by the law. Thus, combination of the brake spider of Dozier and the brake actuator assembly of Williams is impossible without substantial modification of Dozier, and, therefore, improper.

In view of the above reasons, it is respectfully submitted that this application is in condition for allowance, and the rejection of claims of the present invention should be overruled.

Respectfully submitted:
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For 
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